

FARUKI IRELAND & COX P.L.L.
ATTORNEYS AT LAW

CHARLES J. FARUKI
JEFFREY IRELAND
JEFFREY T. COX
PAUL L. HORSTMAN
THOMAS R. KRAEMER
MARY L. WISEMAN

500 COURTHOUSE PLAZA, S.W.
10 NORTH LUDLOW STREET
DAYTON, OHIO 45402

Donald E. Burton
(937) 227-3736
dburton@ficlaw.com

October 3, 2003

JOHN A. FISCHER
MARTIN A. FOGS
ANDREW J. GOTTMAN
ROBERT W. KIRKBAER
MARY C. LABOEUR
MICHAEL A. MURPHY
KARL E. NEUDORFER
ELIZABETH M. PARLO
TIMOTHY G. PEPPER
RONALD L. RABTHER, JR.
LAURA A. SANOM
SUZANNE SCHEINER-ALBL
JEFFREY S. SHARKEY
BRIAN D. WRIGHT
JULIE B. ZINK

ONY M. ALEXANDER
RADLEY D. ANDERSON
DANIEL H. BINEGAR
CHARLES A. ERUCH
RONALD R. BURTON
MELINDA K. BURTON
KARA A. CZANIK
CATHERINE L. EARLY

**VIA FACSIMILE;
CONFIRMATION BY FEDERAL EXPRESS**

Matthew B. Lehr, Esq.
Allon Stabinsky, Esq.
Latham & Watkins
135 Commonwealth Drive
Menlo Park, CA 94025

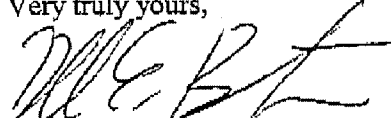
Re: Playtex Products, Inc. v. The Procter & Gamble Company, et al.,
Case No. C-1-02-391

Dear Matt and Allon:

I have enclosed your service copy of Defendants' Motion To Exclude Evidence Relating To Plaintiff's Damages Claim.

As you would expect from the enclosed motion, we will not be agreeing to the proposed discovery schedule you sent us this week, and we will be objecting to the damages-related discovery requests you recently served. There is no point in proceeding with document discovery and expert depositions unless the court denies the motion.

Very truly yours,


Donald E. Burton

DB/bsf
Enclosure

c: Paul B. Martins, Esq. (w/ encl.; via Federal Express)
Robert J. Gunther, Jr., Esq. (w/ encl.; via Federal Express)
Charles J. Faruki, Esq.
Thomas R. Kraemer, Esq.